AGENDA

INDIANAPOLIS AIR POLLUTION CONTROL BOARD Room 107 City-County Building 9:30 A.M. January 13, 2005

1)	PUBLIC HEARING		
2)	CALL TO ORDER - REGULAR MEETING		
3)	ADOPTION OF AGENDA		
4)	ANNOUNCEMENTS	a)	Introductions
5)	APPROVAL OF MINUTES	a)	December 9, 2004
6)	STAFF REPORTS - November 2004	a)	Activities a) Air Monitoring b) Permitting c) Compliance d) Enforcement e) School 21 f) Central Indiana Air Quality Advisory Group Update
7)	UNFINISHED BUSINESS	a) b)	Air Permit Fees Update DPW Diesel Retrofit Update
8)	NEW BUSINESS	a) b)	Ordinance Review Committee Meeting Update PM2.5 Designations
		c)	Citizens Gas Compliance Update
9)	ADJOURNMENT		

NEXT MEETINGS:
ORDINANCE REVIEW COMMITTEE
Room 107 City-County Building
8:30 A.M. February 10, 2005

BOARD MEETING
Room 107 City-County Building
9:30 A.M. February 10, 2005

Web Site Address http://www.indygov.org/eGov/City/DPW/Environment/AirQuality/home.htm

For current Air Quality information, please call (317) 327-4AIR (4247).

For ozone information, please visit our website at www.knozone.com.

There will be an

Ordinance Review

Committee

Meeting

on

January 13, 2005

In Room 107 CCB

at 8:30 a.m.

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on December 9, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chair
Bruce Wallace, Member
Tom Rarick, Member
Amy Marks Callahan, Member
Chuck Fraley, Member
Dennis Achgill, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Tom Barnard, Member Roland Salman, Member Bill Brown, Member

GUESTS PRESENT:

R. Wade Kohlmann, Citizens Gas & Coke Utility
Terry Hogan, Keramida Environmental, Inc.
Richard Van Frank, Improving Kids Environment
Winter Bottum, Indiana Department of Environmental Management
Bill Beranek, Indiana Environmental Institute
Denise Curtis, National Starch and Chemical Company

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the regular meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. Mr. John Chavez informed the Board that he is prepared to give the year-end wrap-up of the Knozone program. Mr. Bruce Wallace made a motion that the Agenda be adopted as modified. Mr. Chuck Fraley seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

There were none.

RE: APPROVAL OF MINUTES

Dr. Daly solicited approval of the minutes of the September 9, 2004 meeting. Mr. Chavez stated the changes had been made and approval was needed from the Board at this time. Mr. Wallace made a motion that the approval of the September 9, 2004 meeting be approved as amended. Mr. Tom Rarick seconded the motion and said motion carried.

Dr. Daly solicited modifications to the November 11, 2004 meeting minutes. There were none. Mr. Wallace made a motion that the minutes be approved. Mr. Fraley seconded the motion and said motion carried.

RE: STAFF REPORTS - October 2004, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for October 2004. In October, staff collected 10,527 air quality readings. The ozone monitors were shut down at the end of September and those readings will not be included in the air monitoring activities report again until April. Eleven (11) days were in the good range of the Air Quality Index (AQI) and twenty (20) days were in the moderate range. The particulate levels were approximately 1 (one) to three (3) micrograms per cubic meter lower than last

month's levels. This lowered the annual averages slightly but not much. The Board asked if the PM2.5 annual averages were meeting the standards. Mr. Childs stated that this year will be above the standards for the three (3) year annual averages. The Board asked if this was based on nine (9) or twelve (12) months of data. Mr. Childs stated that it is based on ten (10) months of data.

The Board asked about the schedule for redesignations. Mr. Chavez stated that the final EPA designations for PM2.5 will be made in December 2004. Originally it was only for Marion County but EPA has added Hamilton, Hendricks and Boone counties.

(Permit Activities Report)

Mr. Keshav Reddy updated the Board on the Permit Activities Report for the month of October. There were six (6) applications received: two (2) Title V amendments; one (1) review request; two (2) for FESOP permit revisions and one (1) exemption. There were forty-two (42) permits in the draft stage, two (2) permits on public notice and nine (9) were in the final permit stages. Eleven (11) decisions were made. Of those eleven (11), seven (7) were amendments to existing Title V, FESOP and minor source operating permits. One (1) significant transition from a Title V permit revision to a FESOP; one (1) permit by rule and one (1) review request were also reviewed. There has been better activity than in the past from an industry standpoint in submitting construction permit applications.

The Board was interested in what the modifications entailed. Are they adding in new equipment or taking out old equipment. Mr. Reddy stated that they are adding in new equipment. The Board would be interested in the obligations of a new source coming in, at what point would they trigger obligations under either of those regulations, and how would that work with designations. It would be of interest to understand the implications of PM2.5 and its relationship to new source construction. Mr. Reddy explained that in following IDEM's policy, they do trigger the new NSR requirements. In regards to PM2.5, there is no clear direction yet from EPA. Mr. Reddy will report back at the next board meeting with an update.

The Board asked if there was a no growth sanction in the redesgination to nonattainment. Mr. Reddy stated there was not. The Board asked if there were a lot of manhours in permit review and if so, was there a way to flag those to reduce the manhours that go into permit review before it goes to IDEM and gets turned back. Mr. Reddy stated that there were some manhours before a determination is made because a draft goes to IDEM. Mr. Chavez wanted clarification of the question asked by the Board. Are there any increases in manhours on OES' side to ensure we get these construction permits out in an expedited manner. The Board stated that the question was do we have the same basic rules applicable at our level when we receive a request or an application so we can make the same decision that IDEM will make before a lot of manhours are invested. Mr. Chavez stated that we have the same rules as IDEM. We have an understanding of what IDEM is expecting in each type of permit we issue.

The Board asked that even with the ozone redesignations that there were shifts and changes in interpretation of rules without rulemaking at the local level. The regulation is not modified, but interpretations are modified which may trigger additional requirements. The Board asked what the trigger level would be of PM2.5 that would suddenly bring a source under review whether attainment or nonattainment? Another problem may be the timing of submitting the permit. If someone applies for a permit in November, but it is not issued until February, and redesignation happens in December, what rules apply to that particular modification? Does the source have to have their permit in hand or at what point in time are these additional requirements put into place. What is the mechanism to put these additional requirements into place? Mr. Chavez stated that the guidelines are not out from EPA. Mr. Chavez will get a better answer on how it is currently being handled at IDEM and will report back to the board in January.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for October. For the month of October, there were four (4) FESOP inspections and one (1) SSOA inspection.

Von Duprin was flagged for recordkeeping violations. There were visible emission observations at Hansen Aggregates, but no problems were noted. The percentage rate for noncompliance is still around 22 percent for the year.

The Board was interested if Von Duprin had been flagged previously for noncompliance. Ms Cheryl Carlson stated that it has been a number of years since they had violations.

Mr. Chavez added that a concern was raised at the last board meeting about Citizens Gas and no longer having compliance or enforcement reports. Mr. Chavez stated that Ms. Janet McCabe of IDEM is aware of the concerns of the board no longer getting updates on the ongoing compliance issues and/or enforcement actions. IDEM has offered to give periodic updates. The updates will be included quarterly as part of the monthly air board packets.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Carlson updated the Board on the Enforcement Activities Report for October. During the month of October, one (1) Notice of Violation without referral was issued. Two (2) Notices of Violation with referral were issued. Three (3) warning letters were issued. A number of cases have been resolved and will be removed from the list in next month's report.

The Board inquired about IUPUI. Mr. Matt Senseny stated that the Compliance Agreement negotiated is being reviewed by IUPUI and OES is waiting for a signed Compliance Agreement.

The Board asked if there was resolution on the F.E. Harding Compliance Agreement. Ms. Carlson stated there will be a fine assessed when the Compliance Agreement is finalized by the hearing officer. Also a hearing will be held next week with Price Rite Auto Sales to resolve that issue.

Mr. Richard Van Frank had questions concerning Capital City Metals and why there has been no resolution. Ms. Carlson stated there has been some action and discussion on how to resolve the issue. The second question Mr. Van Frank had was in regard to Milestone Contractors and their Supplemental Environmental Project. Ms. Carlson stated they will be paving a haul road that we have observed potential for dust problems. The next concern Mr. Van Frank expressed was Reilly Industries seems to be dragging on with significant violations. Ms. Carlson stated that there is currently coordination with the Title V permit that is going to be issued.

The Board asked about asbestos awareness training as part of the resolution and if there was an approved training course provider list? Ms. Carlson stated that the awareness training is an informal OSHA awareness training. The goal is to make sure that employees near a site have enough knowledge to know that something might contain asbestos and ask the right questions whether it has been tested or not. OES doesn't provide a list, but we do approve any documentation they send to offset the penalty.

The Board asked a process code question regarding Milestone Contractors and if the Supplemental Environmental Project is on property they own? Ms. Carlson stated yes. There are no violations, so we have no statutory right to require paving. The road has a certain length and will take a certain amount of money to pave that road. The Board asked if the dollar amount is related to what it takes to do the whole job or when they get to the required dollar amount. If half the road is paved, does the rest of the road remain unpaved? What is the mandate? Ms. Carlson stated there is an agreement to the length and width. It is not the retail cost, but the wholesale cost. The Board asked is the ability to mandate a project capped? Ms. Carlson stated that their offset is seventeen thousand dollars and if they only spend twelve thousand dollars then they owe us the difference.

(School 21)

Mr. Chavez gave an overview of the last meeting. The topic of discussion was the final report from the risk reduction/pollution prevention audit conducted at Citizens Gas and Coke facility as part of the School 21 project. The company Mostardi-Platt that performed

the assessment provided an overview of that final report. Ms Carlson stated the majority of time was spent going over Mostardi Platt's presentation. They visited the plant on two occasions, reviewed paperwork and records from Citizens Gas, and provided a list of recommendations. There will be a School 21 meeting next week. The Board asked what the final outcome of the meeting was. Mr. Van Frank stated that the outcome, as he perceived, was that there is a lack of adequate maintenance at the facility.

The Board asked if all the proposed changes with the School 21 air monitors were done such as proposing to go back and remonitor or continue to monitor. The Board asked if we will do additional monitoring after the fall reassessment over another twelve (12) months to find out whether or not what was proposed and undertaken was effective. Ms. Carlson stated that was one of the topics for discussion at the next meeting. The State had originally proposed to cease monitoring at the end of this year.

Mr. Van Frank stated the possibility of mothballing that monitor for about six (6) months or so and giving them a chance to do some of the work and then starting it up again was proposed by IDEM. Mr. Chavez stated that IDEM will decide on how they will handle the operation of the monitor. However, there still will be the 24-hour canister monitor that will be maintained. The Board asked if they needed to take a position on future monitoring or if there is a mandate ever to retest? Mr. Chavez stated no. The Board asked if a year from now should they revisit this issue? The Board stated that would be helpful.

(Central Indiana Air Quality Advisory Group Update)

Mr. Fraley stated that the group is considering ways of approaching the twenty-four (24) hour ozone nonattainment status and what can be done in order to get off of that status. It has been more of a learning exercise than a decision exercise. Mr. Fraley suggested that the Board take a look at the website. Mr. Chavez will update the Board on the last two (2) meetings of the group with that information.

RE: UNFINISHED BUSINESS

(Air Permitting Fees Update)

Mr. Chavez updated the Board of the new analysis Mr. Rick Martin completed. Mr. Chavez will review the data and send it on to the appropriate persons for their review. Mr. Chavez will report back to the Board's ORC meeting in January.

(Diesel Retrofit)

Mr. Chavez updated the Board on the DPW Diesel Retrofit project. Installation has been started on ten (10) of the packer trucks. Representatives from the vendor worked with the mechanics at Indianapolis Fleet Services. Mr. Tom Hipple was there taking pictures. The installation of the remaining 27 trucks will be in January. Mr. Chavez stated that in January USEPA Region V will be hosting a meeting of environmental directors from the regions Great Cities. Mr. Chavez is planning on attending that meeting to give an overview of the activities of the Central Indiana Air Advisory Group, the Diesel Oxidation Catalyst project, and an overview of the air quality issues and environmental priorities to central Indiana. The discussion will pertain to the 8-Hour Ozone Implementation and PM2.5.

(Knozone Program Wrap-up)

Mr. Chavez gave an overview of the presentation provided to the Department of Public Works from Montgomery, Zuckerman and Davis (the advertising agency for the Knozone Program). Mr. Chavez identified twelve (12) slides from the packet of forty (40) that he explained briefly. Included in the packet was a listing of the survey questions by which the data was generated. If there are questions, Mr. Chavez would send a copy of the entire report to the Board members. Mr. Chavez stated the final conclusion was that the campaign increased the beliefs that citizens are more responsible. The Indianapolis air quality is

not as good as before, and ozone causes negative health effects. One goal in 2004 was to

increase the familiarity of ozone and the negative health effects, and it appears that we were successful in that regard. The goal for the upcoming year is to emphasize behavior change and address the seriousness of air quality issues.

Dr. Daly noted an article from the Journal of the American Medical Association. The article entitled "Ozone and Short-Term Mortality in Ninety-Five (95) U.S. Urban Communities From 1987 to 2000". Indianapolis has about a .52 percent increase in mortality per 10 parts per billion rise in ozone.

Mr. Chavez noted to the Board that included in the packet is a letter from the Indiana Department of Environmental Management (IDEM) relative to our semi-annual report submittal.

Mr. Wallace requested corrected copies of the October 14, 2004, minutes be included in next month's Board packet per his conversation with Mr. Chavez. Mr. Chavez stated the corrections that will be made were changing Mr. Bruce Wallace from Acting Chairman to Member and Dr. Daly from Member to Chair.

RE: NEW BUSINESS

There was no new business.

(Ordinance Review Committee Meeting Update)

There was no update.

RE: ADJOURNMENT

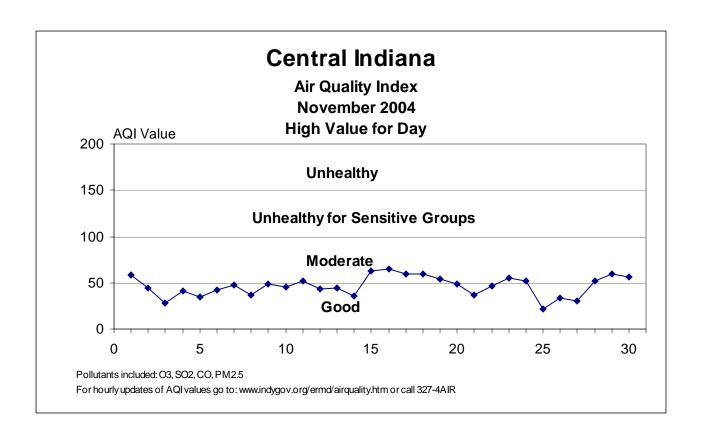
Mr. Fraley made a motion the meeting be adjourned. Mr. Wallace seconded the motion and the said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on January 13, 2005, at 9:30 A.M. in Room 107 of the City-County Building.

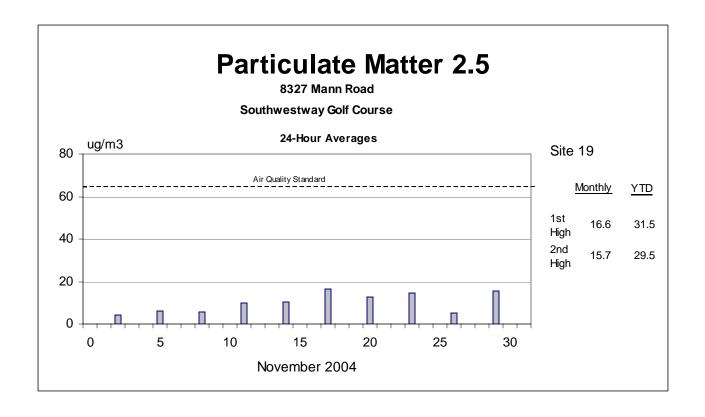
AIR POLLUTION CONTROL BOARD

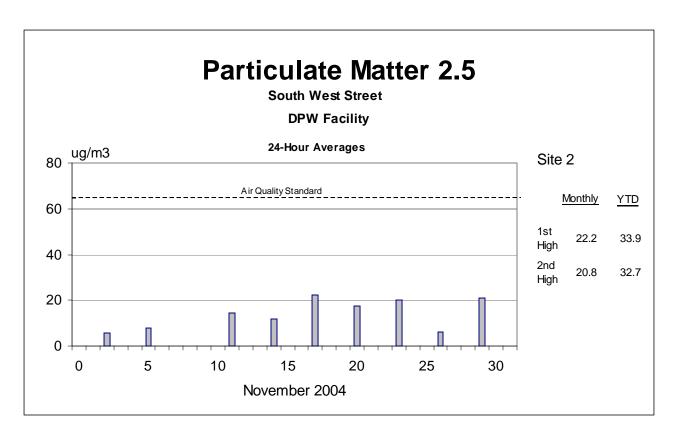
Dr. Robert Daly, Chairman
ATTEST:
John B. Chavez, Technical Secretary Indianapolis Air Pollution Control Board
Date:

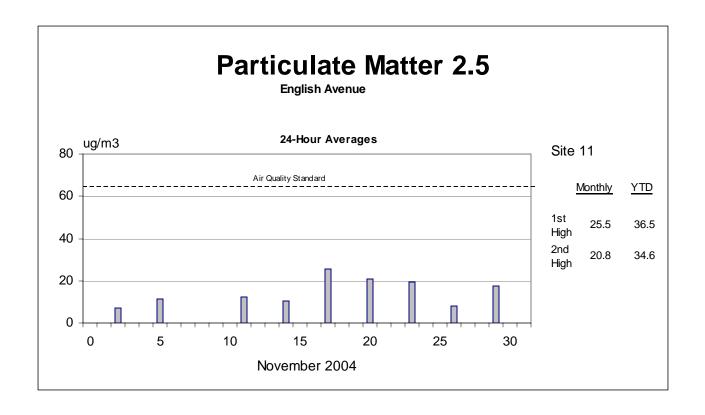
November 2004 Monthly Air Quality Management Activities

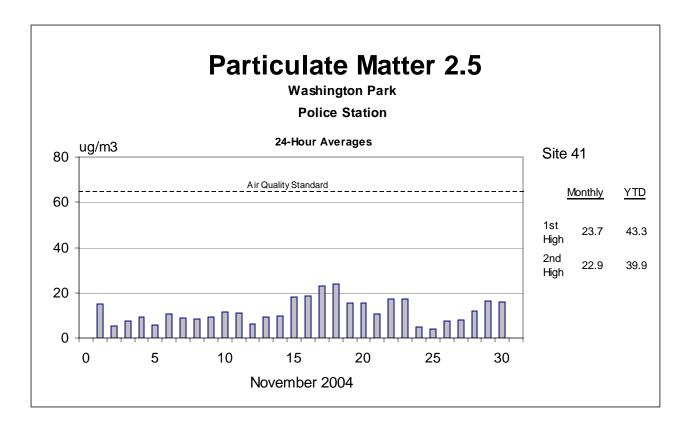
Office of Environmental Services

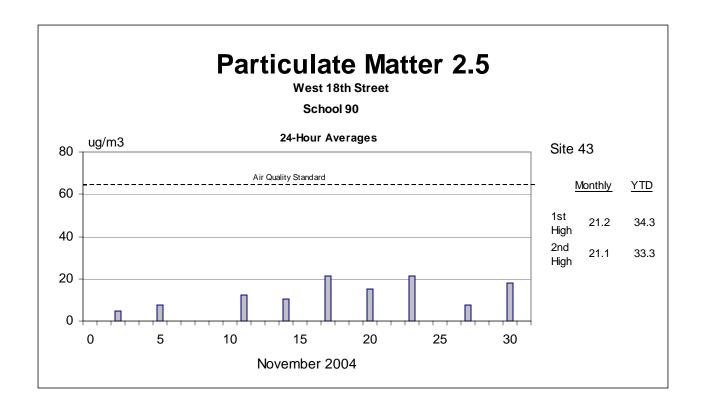


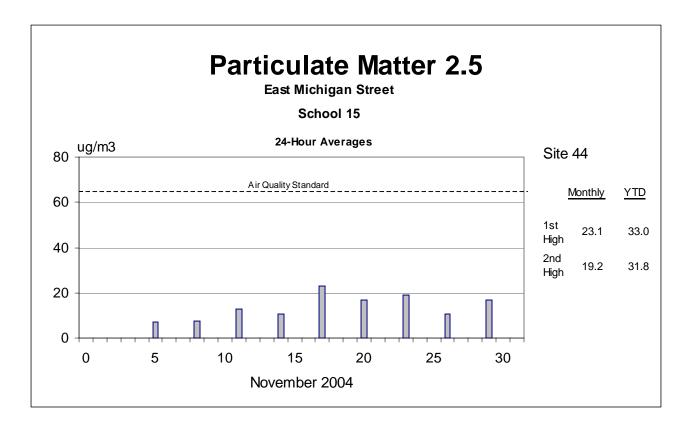


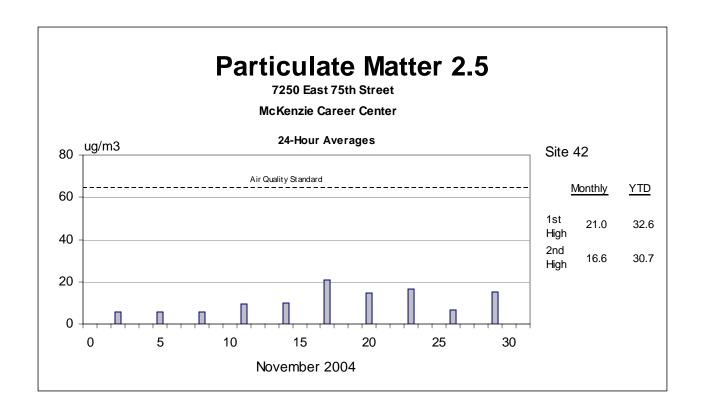


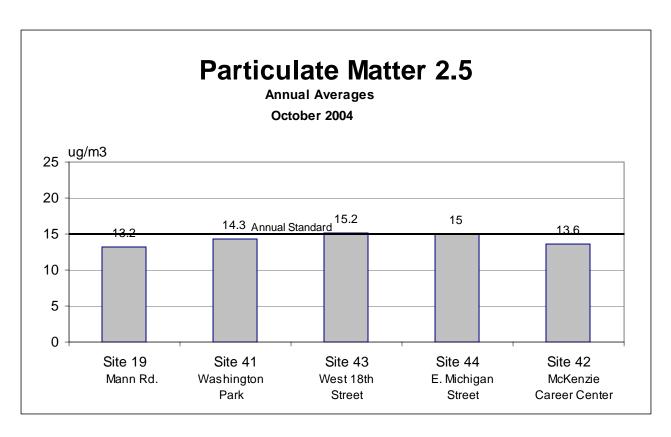












PARTICULATE MATTER - 2.5 MICRON (PM2.5) 2004 24-Hour Averages (ug/m3)

MONTH NOVEMBER	DAY	SITE 2	SITE 11	SITE 19	SITE 41	SITE 42	SITE 43	Site 44
NOVENIBLE	1				15.2			
	2	5.6	6.9	4.2	5.3	5.7	4.7	
	3	0.0	0.0		7.6	0.7		
	4				9.2			
	5	7.9	11.5	6.0	5.8	5.7	7.8	7.1
	6				10.5			
	7				9.0			
	8			5.8	8.2	5.7		7.3
	9				9.3			
	10				11.7			
	11	14.5	12.3	9.9	11.0	9.7	12.1	12.9
	12				6.2			
	13				9.1			
	14	11.7	10.2	10.2	9.7	9.9	10.5	10.6
	15				18.2			
	16				18.5			
	17	22.2	25.5	16.6	22.9	21.0	21.2	23.1
	18				23.7			
	19				15.4			
	20	17.4	20.8	12.7	15.3	14.9	15.3	16.9
	21				10.4			
	22				17.3			
	23	20.3	19.2	14.8	17.4	16.6	21.1	19.2
	24				4.8			
	25				3.9			
	26	6.0	8.1	5.1	7.3	6.6	7.6	10.8
	27				7.8			
	28	00.0	4	45.7	12.0	45.0	40.0	47.0
	29	20.8	17.7	15.7	16.4	15.2	18.0	17.0
	30				16.0			
Mon	ı. Avg.	14.0	14.7	10.1	11.8	11.1	13.1	13.9
	Avg.	15.8	16.8	13.2	14.3	13.6	15.2	15.0
	Max.	33.9	36.5	31.5	43.3	32.6	34.3	33.0
2nd	l Max.	32.7	34.6	29.5	39.9	30.7	33.3	31.8
	Avg.	17.2	17.4	14.6	15.5	14.7	16.2	16.4
3-Y	r Avg.	NA	NA	14.3	15.3	14.7	15.3	16.0

PM 2.5 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 15 ug/m3

24-hour Standard:

3-year average of the annual 98th percentile values - 65 ug/m3

PARTICULATE MATTER - 10 MICRON (PM10) 2004 24-Hour Averages (ug/m3)

MONTH NOVEMBER	DAY	SITE 2	SITE 11	SITE 19	Site 31	Site 44
	1 2 3 4 5 6 7	15	19	9	12	12
	8 9 10 11 12 13	19	14	10	17	16
	15 16 17 18 19 20 21	34	34	18	33	34
	22 23 24 25 26 27	22	20	17	22	
	28 29 30	21	18		20	19
;	Mon. Avg. YTD Avg. 1st Max. 2nd Max. PY Avg.	22 25 98 61 25	21 22 45 44 25	14 15 35 31 17	21 23 51 50 24	20 20 46 39 22

PM 10 Primary Standards:

Annual Standard:

3-year average of the annual mean concentrations - 50 ug/m3 24-hour Standard:

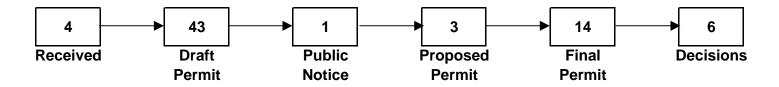
3-year average of the annual 99th percentile values - 150 ug/m3

Office of Environmental Services Air Permit Application Processing

All Permit Writers. Received/Issued/Active in November 2004. Year to Date 2004.

Permit Level	Received	Received YTD	Decisions	Decisions YTD	Active Workload
Amendments	0	0	0	0	0
Initial Title V	0	0	0	5	6
Ongoing Title V	2	37	4	29	15
FESOP	1	51	1	55	13
MSOP	0	26	1	22	13
Registrations	1	14	0	11	4
SSOA	0	11	0	12	2
Exemption	0	9	0	7	2
Permit by Rule	0	0	0	3	0
Review Request/Undetermined	0	13	0	7	7
Totals	4	161	6	151	69

Process Breakdown



Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days	Clock Status
Monthly Received	19903	00257	Federal Express Corp.	Title V	Renewal	11/18/04				Decision	40	R
Monthly Received	19941	00161	Kroger Company - Indy Bakery	FESOP	Administrative Amendment	11/23/04					35	R
Monthly Received	19823	00311	Rolls Royce Corporation	Title V	Administrative Amendment	11/01/04					35	S
Monthly Received	19893	00549	Clarian Lab Consolidation	Registration		11/19/04					39	R
Initial Processing	19784	00012	Daimler Chrysler - Indpls. Foundry	Appeal Resolution		08/02/04					148	R
Initial Processing	19941	00161	Kroger Company - Indy Bakery	FESOP	Administrative Amendment	11/23/04					35	R
Initial Processing	19786	00079	Quemetco, Inc.	Appeal Resolution		08/02/04					148	R
Draft	19373	00310	Allison Transmission Division- COMB	Appeal Resolution		07/19/04					162	R
Draft	19410	00359	Bauer Built, Inc.	Registration	Notice-Only Change	04/12/04					260	R
Draft	19622	00119	Best Access Systems	MSOP	Notice-Only Change	04/14/04					42	S
Draft	20032	00077	Buckeye Terminals, LLC	FESOP	Administrative Amendment	09/03/04					38	S
Draft	17173	80000	Central Soya Company Inc	FESOP	Renewal	01/28/03					525	S
Draft	18805	00141	Citizen Gas-Coke Utility	Title V		03/11/04					54	S
Draft	16972	00287	Citizen's Gas And Coke Utility	Title V	Renewal	03/27/03					642	R
Draft	19377	00034	Citizens Thermal Energy	Appeal Resolution		07/19/04					162	R
Draft	19374	00179	Commercial Finishing Corporation	MSOP	Notice-Only Change	04/12/04					260	R
Draft	18849	00093	Cryovac, Inc.	Title V	Renewal	03/25/04					179	R
Draft	6846	00072	Eli Lilly & Company-Lilly Technology Center-COMB	Title V		10/08/96					3003	R
Draft	19903	00257	Federal Express Corp.	Title V	Renewal	11/18/04					40	R
Draft	19527	00543	GAC MidAmerica, Inc.	Exemption		08/13/04					0	S
Draft	19663	00233	General Devices Co., Inc	Exemption		10/04/04					0	S
Draft	19718	00104	Hanson Aggregates Midwest, Inc. COMBP	FESOP		07/15/04					136	R
Draft	17405	00424	IPALCO (IPL) - Calciment Blend CorpCOMB	MSOP		04/01/03					0	S
Draft	19631	00545	Indiana Bell Telephone Co. d/b/a SBC Indiana	MSOP		09/20/04					99	R
Draft	18317	00063	Interstate Castings, Inc.	FESOP	Renewal	11/05/03					419	R

Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days	Clock Status
Draft	19516	00139	Metal Working Lubricants	FESOP	Administrative Amendment	04/13/04					259	R
Draft	15740	00086	Milestone Contractors, L.P.	FESOP	Renewal	05/23/02					139	S
Draft	19222	00042	National Starch And Chemical Company	Appeal Resolution		05/13/04					229	R
Draft	19787	00079	Quemetco, Inc.	Title V	Administrative Amendment	10/28/04					61	R
Draft	18321	00518	Raytheon Aircraft Service - Indianapolis	MSOP		10/31/03					0	S
Draft	17887	00315	Reilly Industries, IncCOMB	Review Request		06/23/03					29	S
Draft	19823	00311	Rolls Royce Corporation	Title V	Administrative Amendment	11/01/04					35	S
Draft	19550	00304	Saint Francis Hospital And Health Centers	MSOP		04/12/04					260	R
Draft	19419	00129	Saint Vincent Hospitals & Health Care Service	Title V	Renewal	07/27/04					154	R
Draft	19661	00547	St. Vincent Women's Hospital	MSOP		09/21/04					63	R
Draft	20002	00342	Suburban Steel	Registration	Notice-Only Change	04/16/04					238	S
Draft	18042	00286	Superior Oil Company, Inc.	FESOP		10/03/03					107	R
Draft	18528	00021	Visteon Corporation	FESOP	Renewal	02/10/04					322	R
Draft	19218	00320	Wingfoot Commercial Tire Systems	, Appeal Resolution		05/10/04					232	R
Draft	19714	00041	Wishard Memorial Hospital	MSOP		07/12/04					0	S
Draft	19716	00041	Wishard Memorial Hospital	Title V	Revocation	07/15/04					166	R
Draft	20142	00029	Zimmer Custom Made Packaging	MSOP	Notice-Only Change	04/16/04					256	R
Draft	17949	00111	Capitol City Metals, LLC - Shredding Yard	FESOP	Significant Permit Revision (Minor	07/17/03					27	S
Draft	19893	00549	Clarian Lab Consolidation	Registration	rtorioion (iiiiio	11/19/04					39	R
Draft	17276	00012	Daimler Chrysler - Indpls. Foundry	Title V	Significant Source Mod. (Minor	05/09/03					37	S
Draft	20272	00050	IR Von Duprin	FESOP	Minor Permit Revision	10/15/04					19	S
Draft	19603	00373	Parts Cleaning Technologies, LLC	Title V	Significant Permit Modification	08/19/04					131	R
Draft	20182	00548	Pratt Corporation	Registration		09/29/04					0	S
Draft	20224	00127	Superior Metal Technologies	FESOP	Significant Permit Revision (Minor	10/07/04					82	R
Draft	20166	00546	Target Distribution Center	Registration		09/27/04					22	S

Milestone	Permit	Plant	Company Name	Permit Type	Permit SubType	Received	PN Begins	Proposed	Final	Issued Decision	Clock Days	Clock Status
Public Notice	6993	00039	International Truck and Engine Corporation	Title V		10/24/96	10/23/98			Decision	2970	R
Proposed	7302	00061	Citizens Gas and Coke Utility	Title V		11/27/96	12/29/03	06/01/04			2937	R
Proposed	6566	00033	Indianapolis Power and Light Co Harding St. Station-COMB	Title V		09/13/96	12/31/03	02/28/04	12/10/04		3028	R
Proposed	7552	00315	Reilly Industries, IncCOMB	Title V		12/12/96	04/28/04	06/27/04			2938	R
Final	19004	00015	Carrier Corporation	MSOP	Notice-Only Change	04/02/04			06/11/04		270	R
Final	19998	00229	Community Hospital - East	FESOP	Administrative Amendment	04/16/04			11/09/04		249	S
Final	15773	00269	Eli Lilly- Aviation Facility	Review Request	,	02/08/02			03/27/02		56	S
Final	16993	00301	Horner Electric	Registration	Notice-Only Change	12/20/02			11/09/04		345	R
Final	19699	00322	MCI Telecommunications Corporation	Review Request		10/12/04			10/14/04		51	S
Final	16898	05229	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor	03/10/03			05/28/03		28	S
Final	16900	05230	Martin Marietta Materials, Inc.	MSOP	New Construction MSOP (Minor	03/10/03			05/28/03		28	S
Final	16271	00045	Martin Marietta Materials, Inc., - Kentucky Avenue Mine	SSOA	Administrative Amendment	07/26/02			01/09/03		172	S
Final	19201	00146	Miller Veneers, Inc.	Registration	,	04/08/04			11/10/04		264	R
Final	19313	00095	Panhandle Eastern Pipeline Company	Title V	Minor Permit Modification	06/29/04			08/05/04		162	R
Final	19581	00373	Parts Cleaning Technologies, LLC	Title V	Minor Source Modification	08/19/04			11/23/04		88	S
Final	19489	00542	Rinker Materials	SSOA		08/13/04			11/08/04		0	S
Final	18965	00338	Roche Diagnostics Corporation	FESOP	Renewal	04/12/04	10/19/04	11/18/04	11/18/04		247	S
Final	19560	00366	Southside Landfill, Inc.	Title V	Administrative Amendment	04/14/04			10/22/04		258	R
Monthly Issued	20042	00020	Cargill Dry Corn Ingredients, Inc.	Title V	Administrative Amendment	09/07/04			11/03/04	11/11/04	42	S
Monthly Issued	19767	00019	Eli Lilly And Company	Title V	Administrative Amendment	10/28/04			11/05/04	11/15/04	18	S
Monthly Issued	19876	00019	Eli Lilly And Company	Title V	Administrative Amendment	04/15/04				11/03/04	202	S
Monthly Issued	19623	00137	United Signature Foods, L.L.C.	Title V	Revocation	04/05/02			10/12/04	11/09/04	949	S
Monthly Issued	19940	00293	William Hermann And Son, Inc.	MSOP	Notice-Only Change	04/16/04			10/13/04	11/08/04	206	S
Monthly Issued	19336	00098	Asphalt Materials, Inc.	FESOP	Significant Permit Revision (Minor	05/14/04	08/02/04	09/01/04	09/01/04	11/12/04	118	S

Activities Report From November 1, 2004 to November 30, 2004 Office of Environmental Services

Data Compliance Section

Titla	T /	Sources
- I IIIe	v	Sources

ID Number	Name	Inspection Date	Flagged
12464-00012	DaimlerChrysler	11/17/04	

FESOP Sources

ID Number	Name	Inspection Date	Flagged
15203-00076	BP - Amoco	11/9/04	
14774-00089	Reith Riley – 96 th Street	11/9/04	X
6964-00021	Visteon	11/23/04	X
13830-00229	Community Hospital East	11/18/04	

SSOA Sources

ID Number	Name	Inspection Date	Flagged
15554-00300	Clarian Health Partners(Methodist Hospital)	11/04/04	X
6998-01615	Berns Construction	11/5/04	

Permit by Rule Sources

ID Number	Name	Inspection Date	Flagged

State Minor Sources

ID Number	Name	Inspection Date	Flagged

Registration Sources

ID Number	Name	Inspection Date	Flagged

Exemptions Sources

ID Number	Name	Inspection Date	Flagged

Other Sources

1D Number	Name	Inspection Date	Flagged
a	_		

Stack Tests/CEM

ID Number	Name	Observation	Pollutant	Flagged
		Date*	Tested	
6566-00033	AES – Harding Street – Boiler 60	11/16/04R	SO_2 , NO_x	
6566-00033	AES – Harding Street – Boiler 70	11/18/04R	SO_2 , NO_x	

^{*} S = Stack Test R = Relative Accuracy Test Audit for Continuous Emission Monitor(CEM)

YTD Totals

Inspections Completed	Inspections	Number of	Percentage Rate	Number of	Number of
for Clean Air Act Permit	Completed for	Permitted	of Sources	Compliance	Stack Test /CEM
Sources (Title V, FESOP,	Non-Title V	Sources	Flagged at	Reports Quality	Observed
& SSOA)	Permit Sources	Flagged	Inspection	Assured	
76	3	19	25	992	24

NOTICE OF VIOLATION WITHOUT REFERRAL November, 2004

Date of Violation(s)	Name/Location of Violation(s)	Regulation Violated	Description
10/31/04	ALTEC Industries, Inc. 5201 West 84 th Street	2-1-1(H)(1)(c)	Permits (Failure to submit quarterly compliance report for 3 rd Quarter 2004)
11/9/04	Geupel DeMars Hagerman (GDH) 2033 Sugar Grove Avenue	6-4-4	Fugitive Dust Emissions
10/31/04	Indy Railway Service 6111 West Hanna Avenue	2-1-1(H)(1)(c)	Permits (Failure to submit quarterly compliance report for 3 rd Quarter of 2004)
10/26/04	Kleis Construction, Inc. 1001 West 10 th Street	6-4-2	Fugitive Dust Emissions
7/31/04	TKO Graphix 610 West Troy Avenue	Chapter 511, Section 511-304(a)	Failure to submit permit application upon request

NOTICE OF VIOLATION WITH REFERRAL TO PROSECUTOR $\underline{\text{November, 2004}}$

Date of Violation(s)	Name/Location	Regulation Violated	<u>Description</u>
None issued.			

WARNING LETTERS November, 2004

Date of Violation(s)	Name/Location	Regulation Violated	<u>Description</u>
4/16/04	Ashland Chemical Company 8315 East 33 rd Street	2-1-1(H)(1)(c)	Permits (Failure to submit emission reporting by deadline)
11/4/04	Clarian Health Partners, Inc. 1701 North Senate Avenue	12-3	New Source Performance Standards (Failure to submit initial startup notification for 2 boilers in 1992)
During permit development in 2003	General Motors Powertrain Engineering Plant 39 7601 East 88 th Place	2-1-1(B)(2)	Permits (Construction of test cells without a permit)

10/4/03 – 9/7/04 (58 occasions)	Marathon Ashland Petroleum, LLC – Indianapolis Terminal 4955 Robison Road	2-1-1(H)(1)(c)	Permits (Failure to keep adequate records)
9/24/04	Prairie Group, Inc. 2605 Kentucky Avenue	2-1-1(H)(1)(c)	Permits (Failure to keep records for a 5 year period)
9/17/04	Rieth-Riley Construction Company, Inc. 2605 Kentucky Avenue	2-1-1(H)(1)(c)	Permits (Failure to keep records on site)

SOURCE CONFERENCES November, 2004

<u>Date</u>	Source	Topic	Results
11/3/12/04	Hunt Paving, Inc.	Met to discuss NOV.	Awaiting written correspondence and propose Compliance Agreement.
11/8/04	Mt. Carmel Sand & Gravel, Inc.	Met to discuss NOV.	Awaiting written correspondence and propose Compliance Agreement.

TICKETS AND SUMMONSES November, 2004

Date of	Name/Location	Regulation Violated	Description
Violation(s)			

None issued.

YTD Totals:

Asbestos Inspections Completed	Mobile Source Inspections Completed	Environ- mental Inspections Completed	# of Enforce- ment Actions Taken With Referral	# of Warning Letters Issued	# of Enforce- ment Actions Taken Without Referral	# of Enforce- ment Actions Resolved	# of Requests for Enforce- ment Technical Assistance	# of Complaints	# of Open Burning Warnings
529	1,818	4,445	25	104	54	175	819	124	33

CITY OF INDIANAPOLIS

Office of Environmental Services Air Pollution Enforcement Actions January 3, 2005

Prepared by Cheryl Carlson

Denotes New Information

EPA Cases—

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
International Truck and Engine Corporation 5565 Brookville Road	40 CFR § 52.24(a) (installation of 13 cold box core machines without proper permitting)	1977, 1979, 1985, 1988,1989, 1990, 1991, and 1995	12/19/03	2/11/04		

State Cases—

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	3 rd quarter 2002 (E & H)	2/24/03	9/25/03 5/20/04 8/18/04		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	4 th quarter 2002 (E & H)	6/3/03	9/25/03 5/20/04 8/18/04		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	1 st quarter 2003 (E & H)	8/18/03	9/25/03 5/20/04 8/18/04		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	2 nd quarter 2003 (E & H)	1/22/04	5/20/04 8/18/04		
Citizens Gas and Coke Utility 2950 Prospect Street	326 IAC 5-1-2(2)(A) "Opacity Limitations"; and 326 IAC 3-5 "Continuous Monitoring of Emissions"	3 rd quarter 2003 (E & H), 4 th quarter 2003 (E & H), and 1 st quarter 2004 (E & H)	7/1/04	8/18/04		

City Cases--

City Cases	i	1		1	t .	
Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Asphalt Materials, Inc. 4902 West 86 th Street	2-1(H)(1)(c) "Permits" (failure of a stack test conducted to determine compliance with permit for asphalt blowing still) and 12 "New Source Performance Standards", Section 3-1(51)	November 5-6, 2003 and during development of permit in 2002	3/23/04	4/13/04 Correspondence and permit modification received on 5/17/04		
Capitol City Metals LLC (Indianapolis Shredding Company) 311 South Shelby Street	2-1(H)(1)(c) "Permits" (failure of a stack test conducted to determine compliance with permit for metal/fluff separator)	9/22/99	5/22/00 Revised 6/26/01 Revised 4/17/03	8/15/01 10/4/02 Stack test conducted on 7/18/03 8/16/04	6/15/04	
Card-Chem Industries, Inc. 1415 South Senate Avenue	6-4-2 "Fugitive Dust Emissions"	9/11/03 and 6/10/04	6/15/04	Via telephone 8/2/04 8/9/04	12/13/04 <u>Hearing scheduled for</u> 1/20/05	
Citizens Gas and Coke Utility 2950 Prospect Street	2 "Permits" (Failure to keep records of routine air pollution maintenance; exceedance of H2S limit; construction and operation without a permit); 6-4 "Fugitive Dust Emissions", 20 "Hazardous Air Pollutants" (Exceedance of rolling 30 day average limit for Method 303; exceedance of visible emissions limit from Battery 1 from daily Method 303)	10/8/02; 3/6/01 – 12/31/03 (95 days); 8/7/02 – 8/20/02 and 10/17/02 – 10/22/02; prior to 8/1/02; 2/17/01 – 12/31/03 (138 days)	3/26/03 Revised 5/14/03 Revised 2/26/04	5/2/03 Correspondence received 6/9/03 5/20/04	Case transferred to IDEM 7/1/04	City case will remain open until IDEM issues NOV.
Citizens Gas and Coke Utility - Liquified Natural Gas North facility 4536 West 86 th Street	2-1(H)(1)(c) "Permits" (Exceedance of VOC limit)	February 2003 through December 2003 (11 months)	2/17/04	3/4/04	Case transferred to IDEM 7/1/04	City case will remain open until IDEM issues NOV.
E & B Paving, Inc. 4350 South Harding Street	2 "Permits", Section 1-1(H)(1)(c) (failure to comply with permit conditions – missing records)	4/5/02 – 7/23/04 (no records for 170 days of visible emission notations and 170 days of pressure drop); 4 th Quarter 2003 and 1 st Quarter 2004 (no baghouse records); and 7/23/04 (failure to keep records for 5 year period)	<u>12/8/04</u>	Scheduled for 1/6/05		

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
F.E. Harding Asphalt Company, Inc. 5145 East 96 th Street	2 "Permits", Section 1-1(H)(1)(c) (failure to comply with permit conditions – missing records)	7/5/02 – 7/10/04 (no records for 51 days of visible emission notations and 26 days of pressure drop)	9/13/04	10/12/04 Correspondence received 10/21/04	11/9/04 Compliance Agreement signed by company 11/15/04	12/7/04 Penalty of \$2,880.00
Goodyear Tire and Rubber Company 1950 West Edgewood Avenue	2 "Permits", Section 1-1(H)(1)(c) (failure to comply with permit conditions)	4/15/00, 8/29/00 (3 violations)	1/9/01	2/2/01 Additional information received on 7/11/01		
Gradex, Inc. 8300 block of West Mills Road Gatwick Road and Vedder Road	6-4-2 "Fugitive Dust Emissions"	7/28/04 and 10/11/04	8/5/04 Revised 11/12/04	8/27/04	9/17/04 Revised 11/12/04 Compliance Agreement signed by company 11/22/04	12/7/04 Penalty of \$4,000.00
Mr. Edward Hazel 5408 Concord Street	Chapter 511, Section 511-702 "Open Burning Restricted; General Prohibitions"	1/12/04	1/14/04		3/22/04 Hearing 11/18/04	Hearing held on 11/18/04. Awaiting Administrative Hearing Officer's decision
Hunt Paving, Inc. 1200 block of East 38 th Street	6-4-2 "Fugitive Dust Emissions"	10/6/04	10/11/04	11/3/04 Correspondence received 11/12/04	11/16/04	
Indiana University - Purdue University at Indianapolis 635 Barnhill Drive	14-10 "Emission Standards for Asbestos: Demolition and Renovation Operations", Section 8-1(c), 8-2(a), 8- 2(b), and 8-2(c)	8/15/02 and 10/10/02	1/8/03	Meeting held on 10/11/02 2/19/03 Additional information received on 3/25/03 and 8/27/03	3/23/04 Meeting held on 4/22/04	
International Truck and Engine Corporation 5565 Brookville Road	2 "Permits", Section 1-1(H)(1)(c) (failure to comply with permit conditions – missing records)	8/1/03 – 6/30/04 (479 occasions for visible emission notations and 691 occasions for pressure drop)	8/24/04	9/15/04 Correspondence received 10/22/04	11/9/04 Compliance Agreement signed by company 12/15/04	
Mt. Carmel Sand & Gravel, Inc. 5900 block Flynn Road	6-4-2 "Fugitive Dust Emissions"	8/25/04	9/2/04	11/8/04 <u>Correspondence</u> <u>received</u> <u>12/7/04</u>	<u>12/14/04</u>	

Company and Address of Violation	Regulation Violated	Date(s) of Violation(s)	Date NOV issued	Date of Source Conference(s)	Date Proposed Agreed Judgment or Compliance Agreement Sent to Company	Date of Resolution and Outcome
Price Rite Auto Sales 2145 South Emerson Avenue	13 "Motor Vehicle Tampering and Fuel Switching", Section 3-1(1)	6/15/04	6/28/04	Notified owner unavailable – via telephone 7/20/04	Hearing scheduled for 12/16/04	
Reilly Industries, Inc. 1500 South Tibbs Avenue	6 "Particulate Emission Limitations", Section 1-1-12 Non-Attainment Limitations; 20 "Hazardous Air Pollutants", Section 11 Synthetic Organic Chemical Manufacturing Industries	Calendar year 2001 and Calendar year 2002 (TSP SIP); 9/12/02 (failure to use zero calibration gas); 6/19/99, 6/26/99, 11/25/00, and 11/16/01 (leak detection and repair); 9/22/02 through 5/28/03 (failure to keep temperature records)	10/14/03	11/6/03	7/29/04 Revised 9/14/04	
Statewide Medical Services and Supply, Inc. MED/dispose, Inc. 3601 East 9 th Street	2 "Permits", Section 1-1(H)(1)(c) (Failure to comply with permit condition) and 511-304(a) (Failure to submit a permit application)	6/6/01 to present, various dates 9/5/01 through 9/21/01 (9 days), 10/30/01	6/16/03	8/11/03	6/16/03 Revised 2/17/04 Revised 5/20/04 Hearing scheduled for 11/18/04 Continued to 12/16/04 Compliance Agreement signed by company 12/14/04	
Von Duprin 2720 Tobey Drive	2 "Permits", Section 1-1(H)(1)(c) (failure to comply with permit conditions – missing records)	12/20/03 – 10/11/04 (no records on 203 occasions) and 10/11/04 (vapor degreaser lid open)	<u>12/8/04</u>			

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on November 11, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Robert Daly, Chair
Bruce Wallace, Member
Tom Rarick, Member
Bill Brown, Member
Roland Salman, Member
Amy Marks Callahan, Member
Chuck Fraley, Member
Dennis Achgill, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Tom Barnard, Member

GUESTS PRESENT:

Richard Van Frank, Improving Kids Environment
Terry Hogan, Keramida Environmental, Inc.
Bill Beranek, Indiana Environmental Institute
Darla Y. Williams, Administrative Hearing Officer for the City of Indianapolis
Denise Curtis, National Starch and Chemical Company
Monica Klaas, Citizens Gas & Coke Utility
Ann McIver, Citizens Thermal Energy

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the regular meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. Mr. John Chavez requested the approval of the September 9, 2004 minutes be added to the Agenda. Mr. Bruce Wallace made a motion that the Agenda be adopted as modified. Mr. Bill Brown seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

Mr. Chavez announced that Mr. Rick Martin is back. Mr. Chavez introduced the new Administrative Hearing Officer, Ms. Darla Williams.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the minutes of the October 14, 2004 meeting. Mr. Wallace had modifications to the September 9, 2004, minutes as was discussed last month. Mr. Chavez stated that at the October 14 meeting, the September 9, 2004, minutes would be corrected but upon review of the audio and the video tape of the meeting, it could not be determined who made the motion to adjourn. Mr. Chavez asked the Board to request one of the members that was present at the September 9, 2004, meeting to go ahead and make that motion for the record. Thus Mr. Tom Rarick made the motion to adjourn the September 9, 2004, meeting retroactively. Mr. Dennis Achgill seconded the motion and said motion carried.

Dr. Daly asked if we needed a motion to approve the changes. Mr. Matt Senseny suggested that the Board officially approve the September 9, 2004, minutes as amended. Mr. Wallace motioned to approve the changes. Mr. Brown seconded.

Mr. Chavez stated that there was a typographical error in the October 14, 2004, minutes. Under Guests Present, the minutes reflect Mr. Richard Van Frank present at the meeting. Mr. Van Frank was not present and the minutes will be amended for the next meeting.

Mr. Bruce Wallace made a motion that the October 14, 2004, minutes be approved as modified. Mr. Bill Brown seconded the motion and said motion carried.

RE: STAFF REPORTS - September 2004, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for September 2004. Eleven (11) days were in the good category of the AQI and seventeen (17) days were in the moderate category. Two (2) days were in the category for unhealthy for sensitive groups. Fine particulate readings were high for those two (2) days but the ozone was not. Light winds and high pressure system provided the high readings. In September staff collected 16,769 air quality readings.

Mr. Childs presented a summary of the ozone data for 2004. Only one (1) day this year one (1) or more sites exceeded the 8-hour standard. Previous years have had many more days that exceeded the 8-hour standard. Last year we had over 10 or 12. The previous year we had 25, so having one (1) was very unusual. Because such low readings were recorded this year, some of the sites are attaining the 3-year average air quality standard. The Board inquired about the July 2, 2004, high reading for Whitestown. Mr. Childs stated that the winds were from the southeast and that site would be most affected since it would be downwind.

(Permit Activities Report)

Mr. Keshav Reddy updated the Board on the Permit Activities Report for the month of September. There were nine (9) applications received: three (3) were for administrative amendments, two (2) for registrations, one (1) for an exemption, two (2) for minor source operating permit and one (1) for Title V significant source modification. Forty-seven (47) permits were in the draft stage; one (1) on public notice, thirteen (13) in the final stages and twenty-six (26) decisions were made. Out of twenty-six (26), twenty-two (22) are administrative amendments, two (2) were exemptions, one (1) FESOP renewal issued and one (1) Title V significant modification. Mr. Reddy explained that they are handling the administrative amendments. In the past any small change that happened at a source, the affected pages of the permit were changed and those pages were reissued. Now the permit is updated and the entire permit is reissued. The Board was concerned that new dates were included in these amended documents. Mr. Chavez informed the Board that the original signature block remains and a second signature block that reflects the new date and changes are included.

Mr. Reddy provided a status update of Title V's and FESOP's that are not yet issued and beyond established issuance timelines. The Board asked if there was anything controversial from the public or any other opposition to the FESOPs that have not been issued. Mr. Reddy stated there are none.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for September. For the month of September, there were three (3) Part 70 inspections, five (5) FESOP inspections and one (1) SSOA inspection. Wishard is making progress toward the removal of the incinerator. The Compliance Section will continue to monitor the progress. Milestone was flagged as out of compliance and is currently under review. Rieth Riley was issued a warning letter for paperwork violations and the Prairie Group was flagged which is currently under review. One (1) stack test at Wingfoot (Goodyear) they tested for PM10 where no problems were found.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for September. During the month of September, five (5) Notices of Violation without referral were issued. Three (3) Notices of Violation with referral were issued. Seven (7) warning letters were issued for minor violations and residential asbestos violations.

The Board asked if W.R Beach had been on monthly activities list for violations before. Ms. Carlson stated that they have been cited for dust issues, but this was for asbestos violation.

Ms. Carlson updated the Board on City Enforcement cases. A number of cases have been resolved and will come off the list in next month's report.

The Board asked about IUPUI. Ms. Carlson stated we were hoping it could have been resolved this month. However, hopefully by next month it will be resolved.

The Board was concerned that there were a number of construction companies with issues in September. Ms. Carlson stated that typically in the summer more dust issues are observed especially with the dry period that we have had. A number of construction companies also had asbestos related issues.

The Board asked how enforceable are the penalties for failure to comply with the Memorandum of Understanding (MOU) regarding Metalworking Lubricants Company. Ms. Carlson stated the MOU requires them to submit permit application and if they fail to do that the Notice of Violation is reinstated.

The Board asked how many violations are due to paperwork deficiencies versus actions that actually impact the environment. Ms. Carlson stated that you would have to separate the permitted facilities from the unpermitted facilities. Permitted facilities are almost all paperwork violations; the unpermitted facilities like construction companies would generally be an actual impact to the environment.

The Board was concerned about the open burning violations and were they inspected each time. Ms. Carlson stated that in relation to LFB Funding Group they were actually dispatched fire department runs.

Mr. Richard Van Frank commented that Title V permit companies are required to keep records like pressure drop across a baghouse, which could certainly affect the environment. What are passed off as paperwork violations are many times something that is required in the permit to assure that the environmental regulations are being met.

The issue of Citizens Gas increasingly concerns him because the regulatory authority has gone to the state which makes it difficult to find out what is going on. He is also concerned that with the change of administration at the State and expected changes of personnel at IDEM the future is unknown.

Mr. Chavez stated that Ms. Janet McCabe (Assistant Commissioner, Office of Air Quality, IDEM) would look into providing periodical updates on those activities to this Board concerning Citizens Gas and Coke Utility.

The Board asked if there was a conflict of interest with School 21 concerning the benzene issue. Mr. Chavez provided an explanation given by the State regarding perceived conflict of interest with the City regulating Citizens Gas and Coke Utility.

(School 21)

Mr. Chavez stated there was no update.

(Central Indiana Air Quality Advisory Group Update)

Mr. Achgill stated there was no report because there had not been a meeting of this group since the last air board meeting.

RE: UNFINISHED BUSINESS

(Air Permitting Fees Update)

Mr. Chavez updated the Board on the Title V fees. Mr. Chavez and Mr. Martin have determined that the data used for the analysis was flawed. They are in the process of gathering new data and QA/QC that data closely. Mr. Chavez anticipates that at the December meeting, an update can be provided.

The Board asked what type of legal action does it take on behalf of this Board if the recommendation is to increase fees or decrease fees.

Mr. Chavez stated the Board would have to support that. However, the City-Council must approve the modification. In the Ordinance, there is an allowance to adjust the fees on an annual basis based upon the Consumer Price Index. However, that provision has not been executed since it was put into the Ordinance in 1996.

(Diesel Retrofit)

Mr. Chavez updated the Board on the DPW Diesel Retrofit project. The City-County process has been finished for procuring the funds and the money is in the budget. Meetings have been held with the Indianapolis Fleet Services representatives and vendor. The trucks, models and types of oxidation catalysts have been identified. The vendor who received the award for the state's Quantity Purchasing Agreement (QPA) has not worked with government entities in the past and we were requested to submit a credit application. We are working with the vendor to work out this procurement gliche. We are on track and will start installing these devices on our trucks in December.

(Knozone Program Wrap-up)

Mr. Chavez indicated at the next board meeting, a year end overview of the knozone program will be presented.

RE: NEW BUSINESS

(Ordinance Review Committee Meeting Update)

Mr. Achgill stated that they continued to discuss the alternatives being pursued at the monthly Central Indiana Air Quality Advisory Group.

RE: ADJOURNMENT

Mr. Wallace made a motion the meeting be adjourned. Mr. Fraley seconded the motion and the said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on December 9, 2004, at 9:30 A.M. in Room 107 of the City-County Building.

AIR POLLUTION CONTROL BOARD

Dr.	Robe	ert	Daly,	Chairman		
ATT	EST:					
 Johi	n B.	Cha	avez,	Technical	Secretary	

Indianapolis A	Air	Pollution	Control	l Board
Date:				<u> </u>

The INDIANAPOLIS AIR POLLUTION CONTROL BOARD (APCB) met to conduct its regularly scheduled meeting on October 14, 2004 at 9:30 a.m. in Room 107 of the City-County Building.

THOSE PRESENT WERE:

Bruce Wallace, Member
Robert Daly, Chair
Tom Rarick, Member
Bill Brown, Member
Amy Marks Callahan, Member
Chuck Fraley, Member
Dennis Achgill, Member
John Chavez, Technical Secretary
Matt Senseny, Board Counsel

ABSENT:

Roland Salman, Member Tom Barnard, Member

GUESTS PRESENT:

Wade Kohlmann, Citizens Gas & Coke Utility Bill Beranek, Indiana Environmental Institute Denise Curtis, National Starch and Chemical Company Pam Thevenow, Marion County Health Department S. Dear Schramm S., Indianapolis Power & Light Terry Hogan, Keramida Environmental, Inc.

RE: CALL TO ORDER - REGULAR MEETING

Dr. Robert Daly called the regular meeting to order.

RE: ADOPTION OF AGENDA

Dr. Daly solicited modifications to the Agenda. Mr. John Chavez requested an update on the Knozone Program Wrap-Up under new business for this meeting. The topic will also be added to the next agenda under New Business. Mr. Bill Brown made a motion that the Agenda be adopted as presented. Mr. Chuck Fraley seconded the motion and said motion carried.

RE: ANNOUNCEMENTS

 $\operatorname{Mr.}$ Chavez announced that $\operatorname{Mr.}$ Rick Martin will be returning to work in about a week and a half.

Mr. Chavez introduced the new Administrative Assistant, Ms. Dyian Jones.

RE: APPROVAL OF MINUTES

Dr. Daly solicited modifications to the Minutes for the September 9, 2004 meeting. Mr. Bruce Wallace stated that the minutes reflected he had made the motion to adopt the Agenda; however, he merely asked for a motion since he was acting chairman. Mr. Chavez stated he would review the recorded minutes and determine who actually made the motion. Mr. Wallace had the same concern on the Approval of Minutes. Additionally, on Page 3, 3rd paragraph, the word "asked" should be dropped. On the last page under Adjournment, Mr. Wallace also requested that the minutes reflect he did not make a motion, only asked for one. Mr. Chavez stated that the minutes would be corrected.

Mr. Wallace made a motion that the Minutes be approved as modified. Mr. Dennis Achgill seconded the motion and said motion carried.

RE: STAFF REPORTS - August 2004, Monthly Activities Report

(Air Monitoring Activities Report)

Mr. Aaron Childs updated the Board on the Air Monitoring Activities for August 2004. In August staff collected 18,227 air quality readings. Eleven (11) days were in the good category of the AQI and twenty (20) days were in the moderate category. For twenty-one (21) days in August, the highest pollutant was fine particulate and the other ten (10) days the highest pollutant was ozone.

Mr. Childs pointed out the page in the monthly report showing the fine particulate annual averages. In August, the fine particulate annual average reached the annual average standard. At two (2) sites, an annual average of 15.1 has been recorded. The ozone summary for this year will be included with the September 2004 activities report. The ozone readings are much like we've seen all year. More good days and less moderate and unhealthy for sensitive days have occurred in 2004 than the previous two years.

The Board asked Mr. Childs his opinion on the impact on particulate matter less than 10 microns in diameter (PM2.5) when the rain fall averages are lower than average. Mr. Childs stated that rain doesn't really affect the small particles. Initially rain has a cleansing effect, but then the PM2.5 levels come right back. This happens because PM2.5 acts more like a gas than a particle.

(Permit Activities Report)

Mr. Keshav Reddy updated the Board on the Permit Activities Report for the month of August. There were seven (7) applications received: two (2) for permitting appeals, two (2) for exemption, one (1) for MSOP, one (1) for Title V minor source modification and one (1) for FESOP minor permit revision. Forty-five (45) permits were in draft stage: two (2) on public notice, twenty (23) in the final stages and seventeen (17) decisions made. Out of seventeen (17), two (2) were combined into one (1), technically making sixteen (16) decisions made, but administratively the count is seventeen (17). The seventeen (17) decisions included two (2) FESOP renewals, twelve (12) administrative or minor permit amendment, one (1) each of Title V and FESOP significant source modifications and one (1) revocation.

Mr. Reddy updated the Board on their request to be informed about the status of appealed permits. Six (6) are Title V permits recently issued and one (1) FESOP.

The Board asked for clarification on the length of the issuance process for permits which allow new construction or expansion of industry operations. The Board would be interested in knowing the average amount of time it took to issue a construction permit and what would be the maximum amount of time.

Mr. Chavez brought to the Board's attention in the report that OES is tracking the progress of issued construction permits and would provide a quarterly report.

The Board asked for the current number of instances an industry is waiting for a construction permit and is unable to continue with their process. Mr. Keshav informed the Board that currently there is one (1) industry in that situation. In the regulations, a provision exists for an industry to begin construction if they currently comply with the regulation. Therefore, this industry does not have to wait for the permit to be issued.

(Stationary Source Compliance Activities)

Mr. Matt Mosier updated the Board on the Compliance Activities Report for August. For the month of August, there were two (2) Part 70 inspections and one (1) FESOP inspection at

Raytheon. Three (3) stack tests, two (2) of those for visible emissions observations and no problems were noted at those facilities. The number of compliance reports quality assured went up from 720 to 992. During August, the Compliance group quality assured 272 of those reports with one (1) violation noted at Raytheon for exceeding a 15-pound per day limitation which resulted in an enforcement action. The percentage rate of sources flagged at inspections is still around 21 percent.

(Notice of Violation/Agreed Judgement Activities Report)

Ms. Cheryl Carlson updated the Board on the Enforcement Activities Report for August 2004. During the month of August, seven (7) notice of violations with no penalties assessed were issued. Two (2) notices of violation with referral to the Prosecutor's office were issued. Twenty-four 24) warning letters were issued; seven (7) for various minor asbestos problems and seventeen (17) for permitting problems.

The Board asked that from an enforcement perspective if OES was involved with the illegal dumping at Ertel Manufacturing. Ms. Carlson stated no.

The Board wanted clarification on the violation of "failure to begin demolition on start date". The company failed to begin a project on the date in the most recent notification. Generally, the company has not communicated with OES. Ms. Carlson stated that usually is the case.

The Board inquired about Winona Hospital and what happens from this point when a warning letter has been issued and they ceased operation. Ms. Carlson stated that in addition to the warning letter, there is another issue because they didn't pay the annual air permit fee. Officially they still have their permits with OES and they still have an obligation to pay the fee. OES will continue pursuing, but if the permit is transferred to someone else OES would need the updated information.

Ms. Carlson updated the Board on City Enforcement cases. A number have been resolved and finalized by the Administrative Hearing Officer. The resolved cases will come off the list in next month's report. The Board wanted clarification as to why the \$1,000.000 penalty for Service Master does not include the cost of asbestos awareness training. Ms. Carlson explained Service Master is not in the business of asbestos removal and we determined the penalty should go to asbestos training to make sure the violation does not happen again.

The Board had questions about the resolution for the enforcement action against IUPUI. Ms. Carlson stated the matter is scheduled for a hearing next month, but the case is very close to resolution.

The Board inquired if OES has ever done a cost analysis of how many hours are actually spent on a case versus the penalty. Ms. Carlson stated that the Civil Penalty Policy does allow for adjustment if there is outside council brought in or excessive amount of enforcement time spent. OES does not utilize that tool because the Civil Penalty Policy is adequate. Mr. Chavez stated that since he's been here, an assessment has not been done to determine how many hours go into a case versus the penalty amount.

The Board questioned the last information date on the case against Goodyear Tire and Rubber Company was in 2001 and what is going on. Ms. Carlson stated that there was a name change and the company is now appealing the FESOP permit. The company is now known as Wingfoot Commercial Tire Systems. Part of the enforcement action is that they were not complying with their permit conditions. Once the proper permit level is determined, resolution of the enforcement action can begin.

The Board asked about IUPUI and if they have unresolved authority issues on the table or have those been set aside. Mr. Matt Senseny stated those have been set aside in an effort

to negotiate a settlement.

(School 21)

Mr. Chavez updated the Board that the School 21 group met early last month. EPA representatives, IDEM, OES, and external stakeholders participated. IDEM is in the process of completing the modeling components of the project. IDEM is working with a consultant on the completion on the final report for the emission reduction audit done at Citizens Gas which is due next month. Mr. Chavez informed the Board that OES would be providing an overview of the data collected in the past year, to the members of the Southeast Community Organization (SECO). IDEM is in the process of appropriately normalizing the data because there are so many data points. EPA provided an update on the mobile source modeling its doing.

(Central Indiana Air Quality Advisory Group Update)

Mr. Achgill reported that two (2) meetings of the Central Indiana Air Quality Advisory Group have occurred since the last Board meeting, one (1) in September and one (1) earlier this month. The Group continued to develop the evaluation criteria for possible regulatory and voluntary control measures for ozone reduction. Two months ago, the Group discussed both regulatory and voluntary controls of diesel engine emissions. Last month, the Group discussed the overall voluntary program approach taken to reach the 8-hour ozone standard including discussions about the Knozone program. The Group discussed gas cap exchange programs and energy efficiency measures. Finally the Group discussed other transportation control measures.

RE: UNFINISHED BUSINESS

(Adequacy of Title V Fees)

Mr. Chavez updated the Board on the assessment of the adequacy of the Title V air permit fees to support the program. Data has been collected and some discussion has occurred, but Mr. Chavez will have to further these discussions in the ORC. Mr. Chavez anticipates bringing to the ORC next month the data so the Board members can assess the situation.

Mr. Chavez updated the Board on the Diesel retrofit project. Mr. Chavez thanked Mr. Tom Hipple for doing a great job keeping the project moving. Currently a couple of different actions are taking place. The first action is to obtain the grant money from USEPA and bring it into the OES project. The second action is to purchase the diesel catalytic converters.

RE: NEW BUSINESS

Mr. Chavez indicated that at the next board meeting, Montgomery Zuckerman and Davis (MZD) will provide an update of the 2004 Knozone Program. (MZD is the advertising firm responsible for the Knozone program.)

Mr. Chavez stated the City is looking into working more closely with the American Lung Association, Indiana Chapter (ALA-I). DPW has had some discussion with ALA and possibly using them in more of an administrative role. We have asked to get in the next couple weeks a proposal from American Lung Association that will spell out what they can do for the Knozone program. There are some potential benefits to this idea. The American Lung Association obviously brings a lot of credibility to the health message aspect of the program. Nothing has been decided. We are interested in what the American Lung Association can do to take the Knozone program outside of Marion County and into the nine (9) county region; and how they can assist in addressing particulate matter.

(Ordinance Review Committee Meeting Update)

The Ordinance Review Committee discussed the Central Indiana Air Quality Advisory group recommendations and the adequacy of Title V permit fees.

RE: ADJOURNMENT

AIR POLLUTION CONTROL BOARD

Mr. Wallace made a motion the meeting be adjourned. Mr. Fraley seconded the motion and the said motion carried. The next Indianapolis Air Pollution Control Board meeting will be on November 11, 2004, at 9:30 A.M. in Room 107 of the City-County Building.

Mr.	Bruce	Wallace,	Acting	Chairman	
ATT]	EST:				
		•		Secretary Control Board	
Date	e:				